

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:

CHERYL JEAN MCVAY

Debtor(s).

)
) Bk. No. 17-06835-CW3-13
) Chapter 13
) Judge Walker
)

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: July 2, 2021
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: July 14, 2021 at 8:30 am *via AT&T*
Conference Line using Call-In-Number 1-888-363-4749 and Access Code 6926390#

NOTICE OF JOINT MOTION TO MODIFY PLAN

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, and the debtor, Cheryl Jean McVay, by and through counsel, have asked the Court for the following relief: **Joint Motion to Modify Plan.**

YOUR RIGHTS MAY BE AFFECTED. If you do not want the court to grant the attached motion by entering the attached order, or if you want the court to consider your views on the motion, then on or before the response date stated above, you or your attorney must:

1. File with the court your response or objection explaining your position. Please note: the Bankruptcy Court for the Middle District of Tennessee requires electronic filing. Any response or objection you wish to file must be submitted electronically. To file electronically, you or your attorney must go to the court website and follow the instructions at: <https://ecf.tnmb.uscourts.gov>.

If you need assistance with Electronic Filing you may call the Bankruptcy Court at (615) 736-5584.

2. Your response must state the deadline for filing responses, the date of the scheduled hearing and the motion to which you are responding.

If a response is filed before the deadline stated above, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by viewing the case on the court's website at <https://ecf.tnmb.uscourts.gov>.

If you or your attorney does not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter the attached order granting that relief.

Date: June 11, 2021

/s/ Margaret P. Reidy
Margaret P. Reidy
Counsel to Henry E. Hildebrand, III
Chapter 13 Trustee
P. O. Box 340019
Nashville, TN 37203-0019
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JOINT MOTION TO MODIFY PLAN

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters pending in the Middle District of Tennessee, and the debtor, Cheryl Jean McVay, by and through counsel, pursuant to 11 U.S.C. § 1329, respectfully move this Court for an Order modifying the debtor's confirmed Chapter 13 plan.

In support of this motion, the Trustee and the debtor would state that the Order Confirming Chapter 13 Plan was entered on December 22, 2017. The Confirmation Order provided for a 60-month plan term. However, since the filing of this case, the debtor has been financially impacted by Covid-19. The parties, therefore, agree that for the plan to remain feasible, it should be extended from 60 months to 79 months.

WHEREFORE, the premises considered, the Trustee and the debtor respectfully request that the Court modify the debtor's confirmed plan pursuant to 11 U.S.C. § 1329 to extend the plan term from 60 months to 79 months.

Date: June 11, 2021

Respectfully submitted,

/s/ Margaret P. Reidy
Margaret P. Reidy
Counsel to Henry E. Hildebrand, III
Chapter 13 Trustee
P. O. Box 340019
Nashville, TN 37203-0019
615-244-1101; Fax 615-242-3241
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/s/ Mark Podis (with permission)
Mark Podis
Podis and Podis
1161 Murfreesboro Rd., Suite 300
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615-399-38000
podisbankruptcy@aol.com
Attorney for the Debtor

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on June 11, 2021, a true and correct copy of the foregoing was served in the following manner:

By Electronic Case Noticing to:

U.S. Trustee

Podis and Podis, Counsel for Debtor

By U. S. Postal Service, postage prepaid to:

Cheryl Jean McVay, 174 Arbor Loop, Ashland City, TN 37015

Podis and Podis, 1161 Murfreesboro Rd., Suite 300, Nashville, TN 37217

/s/ Margaret P. Reidy

Margaret P. Reidy

Counsel to Standing Chapter 13 Trustee

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DRAFT ORDER MODIFYING PLAN

It appearing to the Court, based upon the certification of the Trustee's and debtor's counsel as indicated by their electronic signatures below, that the Trustee and the debtor, by and through counsel, have filed a Joint Motion to Modify Plan, and that pursuant to Rule 9013-1 of the Local Rules of the Bankruptcy Court for the Middle District of Tennessee, have forwarded a copy of that Motion along with notice and an opportunity to be heard to the Assistant U.S. Trustee, and that no affected party in interest has objected to or requested a hearing on the Joint Motion, it is therefore,

ORDERED, the debtor's confirmed plan is modified to extend the plan term from 60 months to 79 months.

THIS ORDER WAS SIGNED AND ENTERED
ELECTRONICALLY AS INDICATED AT THE
TOP OF THE FIRST PAGE.

APPROVED BY:

/s/ Margaret P. Reidy
Margaret P. Reidy
Counsel to Standing Chapter 13 Trustee
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Nashville, TN 37203-0019
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